

LAW OFFICE OF
TONY M. MAY, P.C.
1850 E. Sahara Ave., Suite 206
Las Vegas, Nevada 89104
Telephone: (702) 388-0404
Facsimile: (702) 830-5699

1 TONY M. MAY, ESQ.
Nevada Bar No. 8563
2 BRUCE N. WILLOUGHBY, ESQ.
Nevada Bar No. 8311
3 TONY M. MAY, P.C.
1850 E. Sahara Ave., Suite 206
4 Las Vegas, Nevada 89104
Telephone: (702) 388-0404
5 Facsimile: (702) 830-5699
Email: tmay@tmm-law.com
6 Email: bnw@tmm-law.com

7 *Attorneys for Third-Party Plaintiff*
8 *AgSaver, LLC*

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

10 ARGUSTOLI H.C., LLC, a Nevada limited
liability company; REDACT, LLC, a Texas
11 limited liability company as General Partner of
ALDIS MANUFACTURING, LTD., a Texas
12 limited partnership and as General Partner for
ALDIS SALES, LTD., a Texas limited
13 partnership,

14 Plaintiffs,

15 vs.

16 AGSAVER, LLC, a Mississippi limited liability
company; CLARKE PUGH, an individual;
17 DOES I through X, inclusive; and ROES I
through X, inclusive,

18 Defendants.

19 AGSAVER, LLC, a Mississippi limited liability
20 company;

21 Counterclaimants,

22 vs.

23 ARGUSTOLI H.C., LLC, a Nevada limited
liability company; REDACT, LLC, a former
Texas limited liability company acting as the
24 General Partner of ALDIS
MANUFACTURING, LTD, a Texas limited
25 partnership and as the General Partner for
ALDIS SALES, LTD; ALDIS
26 MANUFACTURING, LTD, a Texas limited
partnership; ALDIS SALES, LTD a Texas
27 limited partnership; DOES 1 - 10, inclusive;
and ROES 11-20, inclusive,

28 Counter-Defendants.

Case No.: 2:16-cv-02431-JAD-CWH

**STIPULATION AND ORDER TO
DISMISS THE THIRD-PARTY
COMPLAINT WITHOUT
PREJUDICE**

ECF No. 36, 39

AGSAVER, LLC, a Mississippi limited liability company;

Third-Party Plaintiff,

vs.

ALDIS MANUFACTURING, LTD, a Texas limited partnership; ALDIS SALES, LTD, a Texas limited partnership; G.I. SMITH, as Trustee of the LOUISIANA INTESTMENT TRUST, a Michigan unknown entity; DOE Individuals/Trustees 1 - 10, inclusive; and ROE Entities 11-20, inclusive,

Third-Party Defendants.

STIPULATION AND ORDER TO DISMISS THE THIRD-PARTY COMPLAINT WITHOUT PREJUDICE

Third-Party Plaintiff AgSaver, LLC (hereinafter “AgSaver”), by and through its counsel of record, the law firm of Tony M. May, P.C. and Third-Party Defendants Aldis Manufacturing, Ltd. and Aldis Sales, Ltd. (collectively referred to as the “Third-Party Defendants”) by and through their attorneys of record, the law firm of Marquis Aurbach Coffing, hereby stipulate and agree as follows:

1. AgSaver filed a Third-Party Complaint (ECF No. 12) in this matter on November 17, 2016.

2. Third-Party Defendants were served with a true and correct copy of the Summons and Third-Party Complaint on December 22, 2016 (ECF No. 35).

3. Third Party Defendants filed a Motion to Dismiss the Third-Party Complaint (ECF No. 36) in this matter on January 12, 2017.

4. Within the Third-Party Defendant’s Motion to Dismiss, Third-Party Defendants admitted that they are already parties to this matter.

5. As a result of the admission, AgSaver has agreed to dismiss the Third-Party Complaint without prejudice.

6. Third-Party Defendants agree to withdrawal the Motion to Dismiss the Third-Party Complaint.

///

7. The parties request that the hearing on Third-Party Defendant's Motion to Dismiss the Third-Party Complaint, set for hearing on February 27, 2017 be vacated.

IT IS SO STIPULATED

Dated this 26th day of January, 2017.

Dated this 26th day of January, 2017.

TONY M. MAY, P.C.

MARQUIS AURBACH COFFING

/s/ Tony May

/s/ Liane K. Wakayama

TONY M. MAY, ESQ.
Nevada Bar No. 8563
TONY M. MAY, P.C.
1850 East Sahara Ave., Suite 206
Las Vegas, Nevada 89104
Telephone: (702) 388-0404
Email: tmay@tmm-law.com

Liane K. Wakayama, Esq.
Nevada Bar No. 11313
Kathleen A. Wilde, Esq.
Nevada Bar No. 12522
10001 Park Run Drive
Las Vegas, Nevada 89145
Telephone: (702) 382-0711
Email: lwakamaya@maclaw.com

Attorneys for Defendants AGSAVER, LLC

*Attorneys for Third-Party Defendants
Aldis Manufacturing, Ltd., and Aldis Sales,
Ltd.*

ORDER

Based on the stipulation [39] and good cause appearing, IT IS HEREBY ORDERED that:

1. The third-party claims are DISMISSED without prejudice;
2. The third-party defendants' motion to dismiss [36] is deemed WITHDRAWN; and
3. The February 27, 2017, hearing [37] on the motion to dismiss [36] is VACATED.


UNITED STATES DISTRICT JUDGE

DATED: 1/27/17